

PERSONNEL

29 November 1954

## PAY AND ALLOWANCES FOR MISSING PERSONS

Rescission: Confidential Funds Regulation

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## 1. GENERAL

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*Cases involving*  
This Regulation prescribes Agency policy, responsibility, and procedures for conformance with the implementation of the provisions of the Missing Persons Act of 1942 (P.L. 490, 77th Congress), as amended. This Regulation applies to all CIA employees and to U. S. citizen personnel in other categories if the benefits of the Act are specifically included in their contracts. [To ensure uniformity of handling, the notification procedures contained in paragraph 5 will also be observed in the case of U. S. citizen contractors even though the benefits of the Act are not included in their contracts, and the review procedures of that paragraph will also be applied when appropriate.]

## 2. POLICY

The Missing Persons Act, as amended, provides that military personnel and Federal employees who are reported as missing, missing in action, interned in a foreign country, or captured by a hostile force while on active duty outside the United States (hereinafter referred to as "missing persons") will be placed officially in such a status for the purpose of continuing their salaries, allowances, and allotments. Prompt action will be taken within CIA to report each such case involving Agency employees covered by the Act and to authorize the establishment, continuance, suspension, resumption, or termination of allowances and allotments as the circumstances warrant. [Prompt action will also be taken in the case of U. S. citizen contractors even though the benefits of the Act are not included in their contract in order to effect orderly handling and proper disposition within the terms of their contracts and consistent with security requirements.]

## 3. AUTHORITIES AND RESPONSIBILITIES

## a. ASSISTANT DIRECTOR FOR PERSONNEL

The authorities vested in the Director of Central Intelligence by the Missing Persons Act, as amended, such as directing the continuance or termination of pay, allowances, and allotments, and making determinations of death, are delegated to the Assistant Director for Personnel. He has general responsibility for ensuring that Agency personnel affected

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by the Act are accorded the benefits which it provides, and for ensuring compliance with this Regulation. In carrying out these responsibilities he will coordinate each case with all appropriate Agency officials.

#### b. IMMEDIATE SUPERVISOR

The immediate supervisor [of a missing person] will submit to the Assistant Director for Personnel, through appropriate administrative channels, all available details of the circumstances, consistent with security considerations, including any information subsequently obtained which affects his status.

#### 4. BENEFITS

1. Any individual affected by the Act and established as being in a missing-person status in accordance with this Regulation will have credited to his account the same pay and allowances to which he would be entitled were he in an active duty status provided that the Assistant Director for Personnel determines he is not absent from duty without authorization. The pay, allowances, and allotments will be continued for the duration of the individual's missing status and his rights thereto will be unaffected by the expiration of his agreed term of service.
2. During the period an individual is in such a status, his dependents and insurers are entitled to such allotments as were currently authorized by the individual immediately prior to his absence, or as the Assistant Director for Personnel may direct [pursuant to the Act.]
3. The expense of transporting the dependents, the household goods, and personal effects of an individual in a missing status to his official residence of record or to another location, as approved by the Assistant Director for Personnel upon application by a dependent, will be borne by the Agency.

#### 5. PROCEDURES

- a. [The immediate supervisor [of a missing person] will ascertain and report in writing to the Assistant Director for Personnel all available information relative to the nature and circumstances of the case as soon as it becomes known the person is missing. Reports will be submitted through appropriate administrative channels in a secure manner.

- (1) The initial report may be submitted by cable [or other suitable communication.] Within 15 days after the initial report, a report of all the available evidence at that time, consistent with security

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considerations, will be submitted including such details as his grade, organizational unit, pay status, time and place of disappearance, cause or contributing circumstances, time and place individual was last seen or contacted, statements of witnesses, extent of search, names of persons notified and dates of notification, whether or not the absence is without authorization.

- (2) Any subsequent information which affects or may affect the individual's status or cover will be reported as received.
- b. Upon receipt of notice that an Agency employee or contractor is missing, *who?* the Assistant Director for Personnel will immediately notify all appropriate officials and will subsequently convene a conference of such officials for the purpose of deciding the Agency's course of action in the case.
  - c. Following an evaluation of the reported evidence and such additional investigation as is required, the Assistant Director for Personnel will prepare a memorandum to the Comptroller, containing a determination of the individual's status and, when applicable, authorizing the continuance of the individual's pay, allowances, and allotments for an initial period not to exceed 12 months.
  - d. The Assistant Director for Personnel may make a finding of death at any time upon receipt of information to that effect. Such finding will follow a conference of all appropriate officials wherein it is determined that evidence exists for such action. He will designate in a memorandum to the Comptroller the date on which death occurred, or is presumed to have occurred. The Comptroller will then terminate the crediting of pay and allowances or payment of allotments, and settle the accounts. The Assistant Director for Personnel may also direct by memorandum at any time the termination of the missing status by reason of the individual's return to the jurisdiction of the Agency.
  - e. Prior to the expiration of the initial 12-month period, and in each subsequent 12- period while the individual remains in a missing person status the Assistant Director for Personnel will review each case. He will make a finding of death, as outlined in d above, or direct the continuance of the individual's status beyond the expiration of the first 12-month period if the person may reasonably be presumed to be living.
  - f. When essential to the welfare of dependents, the Assistant Director for Personnel will notify the Comptroller to increase, in accordance with the provisions of the Missing Persons Act of 1942, as amended, the allotments previously authorized by the individual for the support of dependents and the payment of any insurance premiums. The total amount of the allotments may not exceed the amount of pay and allowances to which

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the missing person is entitled. In the absence of allotments previously authorized by the individual, the Assistant Director for Personnel may direct, [pursuant to the Act,] that allotments be paid to designated dependents or insurers.

- g. All communications outside the Agency, including contacts with the emergency addressees, dependents, and insurance companies, will be handled either by the Assistant Director for Personnel or by other Agency officials with the approval of the Assistant Director for Personnel, until the case is finally concluded. All correspondence to be transmitted outside the Agency or contacts with persons outside the Agency, will be coordinated with the Director of Security and other appropriate Agency officials. Correspondence notifying an emergency addressee, or next-of-kin, of an individual's missing status or death will be prepared for the signature of the Director of Central Intelligence, if appropriate.
- h. Copies of all memorandums authorizing the establishment, continuance, suspension, or termination of the individual's pay, allowances, and allotments will be distributed to the Comptroller and, as appropriate, the Deputy Director (Administration), the Deputy Director (Intelligence), the Deputy Director (Plans), the Director of Training, or the Assistant Director for Communications.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

*Signature ?*

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